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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/033,014	12/27/2001	Kevin Curtis Mowry	29505/ISC0005	7846

29978 7590 03/16/2005

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CHICAGO, IL 60606-6402

EXAMINER

BENGZON, GREG C

ART UNIT	PAPER NUMBER
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2144

DATE MAILED: 03/16/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/033,014

Applicant(s)

MOWRY ET AL.

Examiner

Greg Bengzon

Art Unit

2144

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 27 December 2001.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-17 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 27 December 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                        | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)               | Paper No(s)/Mail Date. _____  |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                                    |

### **DETAILED ACTION**

This application has been examined. Claims 1-17 are pending.

#### ***Priority***

The effective date of the subject matter in the claims in this application is December 27, 2001.

#### ***Information Disclosure Statement***

The information disclosure statement (IDS) submitted on 04/17/2003 is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

#### ***Claim Rejections - 35 USC § 102***

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

Claims 1-17 are rejected under 35 U.S.C. 102(e) as being anticipated by Venigalla (US Patent 6766361).

With respect to Claim 1 , Venigalla discloses in a communication device including a wireless applications protocol (WAP) operating environment, an apparatus for enabling an external function from within the WAP operating environment comprising: (Figures 2-5, Column 3 Lines 1-25, Column 4 Lines 30-45), a external function interface coupled to the WAP operating environment and operable to receive from the WAP operating environment a request to launch an external application; (Column 8 Lines 15-25, Column 10 Lines 10-65) a handle configured to permit control of the external application from within the WAP operating environment, the handle being generated by the external function interface and returned to the WAP operating environment responsive to the request to launch the external application; (Column 5 Lines 10-40, Column 7 Lines 20-50) and a library associated with the external application, the library including information to initiate a connection between the external application and the WAP operating environment, wherein the handle corresponds to the connection.

With respect to Claim 2 , Venigalla discloses the apparatus of claim 1, wherein the external function interface includes a list of external applications available to be launch from within the WAP operating environment. (Column 3 Lines 1-25, Column 8 Lines 60-65, Column 9 Lines 1-10)

With respect to Claim 3 , Venigalla discloses the apparatus of claim 2, wherein the list of external applications is dynamically generated upon an initialization of the WAP operating environment on the communication device. (Column 8 Lines 1-15, Lines 60-65)

With respect to Claim 4 , Venigalla discloses the apparatus of claim 2, wherein the list of external applications is dynamically generated on a periodic basis. (Column 8 Lines 60-65, Column 12 Lines 10-15)

With respect to Claim 5 , Venigalla discloses the apparatus of claim 1, wherein the external function interface comprises a plug-in to the WAP operating environment. (Column 5 Lines 10-40, Column 7 Lines 1-10, Column 8 Lines 15-25)

With respect to Claim 6 , Venigalla discloses the apparatus of claim 1, wherein the handle comprises an instance identifier. (Column 8 Lines 15-25)

With respect to Claim 7 , Venigalla discloses the apparatus of claim 1, wherein the library comprises code embedded within the external application. (Column 5 Lines

10-40, Column 12 Lines 20-40)

With respect to Claim 8 , Venigalla discloses the apparatus of claim 1, wherein the library is separate from and accessible by the external application. (Column 12 Lines 20-40)

With respect to Claim 9 , Venigalla discloses the apparatus of claim 1, wherein the apparatus enables the WAP application to discover, launch and control the external application. (Column 9 Lines 1-5)

With respect to Claim 10 , Venigalla discloses an a wireless communication network including a mobile station adapted according to the Wireless Applications (WAP) protocol to provide a WAP operating environment, a method for enabling an external function within the WAP operating environment comprising the steps of: (Figures 2-5 Column 3 Lines 1-25, Column 4 Lines 30-45) receiving from the WAP operating environment a request to launch an application external to the WAP operating environment; generating a handle associated with the application, (Column 8 Lines 15-25, Column 10 Lines 10-65) the handle being configured to permit control of the external application from within the WAP operating environment; and providing a library associated with the external application, wherein the library includes information to

initiate a connection between the external application and the WAP operating environment, wherein the handle corresponds to the connection. (Column 5 Lines 10-40, Column 7 Lines 20-50)

With respect to Claim 11-17, the Applicant discloses a method with same limitations as described in Claims 1-10. Claims 11-17 are rejected on the same basis as Claims 1-10.

### ***Conclusion***

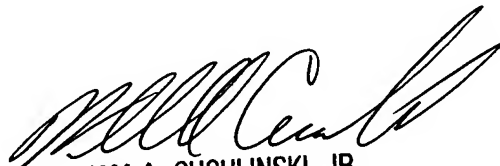
The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Please refer to the enclosed PTO-892 form.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Greg Bengzon whose telephone number is (571) 272-3944. The examiner can normally be reached on Mon. thru Fri. 8 AM - 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Cuchlinski can be reached on (571)272-3925. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

gcb



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